Regd No. WB/SC-320 No. Wb/CPS//Raj-11(Part I)/2007

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PART I - Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury etc.

GOVERNMENT OF WEST BENGAL
Personnel & Administrative Reforms Department
Administrative. Reforms Cell.

NOTIFICATION

No. I 57-PAR (AR}~ l0th March, 2006- In exercise of the power conferred by sub-section(1) read with sub- section (2) of Section 27 of the Right to Information Act, 2005 (22 of2005), the Governor is pleased hereby to make the following rules, namely :-

Rules

1. **Short title and commencement** - (I) These rules may be called the West Bengal Right to Information Rules, 2006.
(2) They shall come into force on the date of their publication in the Official Gazzate.

2. **Definitions**:- (1) In these rules, unless the context otherwise requires, -
(a) "Act" means the Right to Information Act, 2005 (22 of 2005);
(b) “Commission” means the West Bengal Information Commission;
(c) “Registrar” means the Registrar of the Commission;
(d) “Section” means section of the Act;
(e) “State Government” means the Government of West Bengal.
(2) Words and expressions used and not defined in these rules but defined in the Act, shall have the same meanings as respectively assigned to them in the Act.

3. **Application fee** - An application containing a request in writing to the State Public Information Officer or the State Assistant Public Information Officer, as the case may be, made under sub-section (I) of Section 6 for obtaining information, shall be accompanied with a court-fee of rupees ten.

4. **'Fee for providing information** - Save as otherwise provided in the provision to sub-section (5) of Section '7, the State Public Information Officer or the State Assistant Public Information Officer, as the case may be, shall provide Information under sub-section (I), and sub-section (5), of Section 7 upon receipt or a request under Section 6, on payment of a fee of -

(a) rupees two, for each page (in A-4 or A-3 size paper) created or copied; or

(b) actual charge or cost price, for a copy in large size paper; or
(c) actual cost price, for sample or model; or

(d) rupees five for each fifteen minutes or fraction thereof, for inspection of records; or

(e) rupees fifty per diskette or floppy, for information provided in the diskette or floppy; or

(t) actual charge fixed for publication or rupees two per page of photocopy for extracts therefrom; for information provided in printed form.

5. **Contents of appeal to Commission under sub-Section (3) of Section 19** - An appeal to the Commission under sub-section (3) of Section 19, shall contain the following information, namely:-

(a) name and address of the applicant;

(b) name and address of the State Public Information Officer or the State Assistant Public Information Officer, as the case may be, who passed the order;

(c) particulars of the order against which the appeal is made including its number and date;

(d) brief facts of the case;

(e) prayer or relief sought for by the appellant;
(f) grounds for such prayer relief; and
(g) verification by the appellant

6. **Dcouments to accompany appeal to Commission under sub-section (3) of Section 19** – Every appeal made to the Commission shall be accompanied by the following documents, namely:-

(a) the attested true copy of the order against which the appeal is being preferred;
(b) the copies of the documents relied upon by the appellant and referred to in the appeal; and
(c) an index of the documents referred to in the appeal.

7. **Procedure in deciding appeal to Commission under sub-section (30 of Section 19 –** (I) In deciding the appeal to the commission, the commission shall :-

(a) hear, oral or written, evidence on oath or on affidavit from the concerned or interested person;
(b) peruse or inspect documents, public records or copies thereof.
(c) Enquire through the authorized, officer for further details or facts;
(d) Hear the State Public Information Officer or the State Assistant Public Information Officer or such officer who decided the first appeal mentioned in sub-section (I) of Section 19, as the case may be;
(e) hear the third party if required; and
(f) receive evidence on "affidavits from State Public information Officer or the State Assistant Public Information Officer or such officer who decided the first appeal mentioned in sub-section (I) of Section 19 or from the third party; if any
(2) In deciding the appeal the Commission may ask the appellant to add any other information other than the information included in the contents of the second appeal under rule 5.

8. **Service of notice by Commission**- The notice required to be issued under sub-section (9) of Section 19, by the Commission may be served in any of the following modes, namely:-

(a) service by the p~ itself;

(b) service by hand delivery through the process server;

(c) service by the registered post with acknowledgement due

(d) service through the head of office or the Department;

9. **Signing of order** - The order of the Commission pronounced in open proceedings shall be in writing and authenticated by the Registrar of any other officer authorized by the Commission in this behalf.

10; **Terms and conditions of officers and other employees of Commission** - The officers and other employees of the Commission shall be placed on deputation from the State Government on the usual terms and conditions

By order of the Governor,

Trilochan Singh,
Pr. Secretary to the Govt. of West Bengal

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PART I—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury etc.

GOVERNMENT OF WEST BENGAL
Department of Personnel & Administrative Reforms
Administrative Reforms Cell
BLOCK-IV, 2ND FLOOR, WRITERS' BUILDINGS
KOLKATA-700 001

NOTIFICATION

No. 724-PAR(AR)/O/3M-29/2005 Pt. VI-17th October, 2008.- In exercise of the power conferred by sub-section (1), *read* with sub-section (2), of section 27 of the Right to Information Act, 2005, the Governor is pleased hereby to make the following amendments in the West Bengal Right to Information Rules, 2006 (hereinafter referred to as the said rules) :-

Amendments

In the said rules,-

(1) rule 3 shall be renumbered as sub-rule (1) of rule 3, -

(a) in sub-rule (1) so renumbered, for the words "a court-fee of rupees ten.", *substitute* the words, letters and brackets 'a court-fee of rupees ten or a non-Judicial Stamp paper of rupees ten, or by Demand Draft or Bankers Cheques or Indian Postal Order, payable in favour of " (name of the link bank) a/c Government of West Bengal, RTI ACT".';

(b) after sub-rule (1), *insert* the following sub-rules :-

'(2) An applicant while sending a request for information by e-mail shall deposit the application fee of rupees ten by Demand Draft or by Bankers Cheques or by Indian Postal Order, payable in fovour of "(name of the link bank) a/c Government of West Bengal, RTI ACT", mentioning the particulars of such deposit to the Public Information Officer in such e-mail and on receipt of said information, the Public Information Officer shall process such request for providing such information :

Provided that such information as sought for shall not be delivered to the applicant unless the requisite amount of application fee has been received by the Public Information Officer by Demand Draft or Bankers Cheques or Indian Postal Order, as the case may be.

(3) The Public Information Officer shall, after receiving Demand Draft or Bankers Cheques or Indian Postal Order under sub-rule (2), arrange to remit the fee to such authorised branches of the Public Bank linked with the Treasury as mentioned in Appendix 3 to the West Bengal Treasury Rules, 2005, by the next working day in T. R. Form No. 7 under the Head of Account and Head Code mentioned in column (1) and column (2) against serial Nos. 1 and 2 respectively, of the Table below :-

Sl. No	Particulars	Details
(1)	(2)	(3)
1.	Head of Accounts	"0070-Other Administrative Services-60-Other Services-800-Other Receipts including census-021-Collection of Fees from Information Seeker for the purpose of servicing information-27-Other Receipts"
2.	Head Code	"00706080002127" :

Provided that the applicant may deposit such application fee under the above head of accounts directly through the concerned bank linked with Treasury and shall produce the receipted challan to the Public Information Officer.';

(2) rule 4 shall be renumbered as sub-rule (1) of rule 4, after sub-rule (1) so renumbered, *insert* the following sub-rules :-

'(2) The fee as mentioned in clause (a) to clause (f) of sub-section (1) shall be deposited to the officer to be designated by the concerned Department of the State Government in this behalf, either by Demand Draft or Bankers Cheque or Indian Postal Order payable in favour of " (name of the link bank) a/c Government of West Bengal, RTI ACT".

(3) The Public Information Officer shall, after receiving Demand Draft or Bankers Cheque or Indian Postal Order, as the case may be, as mentioned in sub-rule (2), arrange to remit the fee to such authorised branches of the Public Bank linked with the Treasury as mentioned in Appendix 3 to the West Bengal Treasury Rules, 2005, by the next working day in T. R. Form No. 7 under the Head of Account and Head Code mentioned in column (1) and column (2) against serial Nos. 1 and 2 respectively, of the Table below :-

Sl. No.	Particulars	Details
(1)	(2)	(3)
1.	Head of Accounts	"0070-Other Administrative Services-60-Other Services-800-Other Receipts including census-021-Collection of Fees from Information Seeker for the purpose of servicing information-27-Other Receipts"
2.	Head Code	"00706080002127":

Provided that the applicant may deposit such fees under the above head of accounts directly through the concerned bank linked with the Treasury and shall produce the receipted challan to the Public Information Officer.';

(3) In rule 5,-

(a) for clause (c), *substitute* the following clause :-

"(c) self-attested photocopy of the order of an officer to whom appeal has been preferred under sub-section (1) of section 19 of the Act;";

(b) for clause (d), *substitute* the following clause :-

"(d) gist of the information sought for;";

(c) for clause (e), *substitute* the following clause :-

"(e) grounds for appeal and the relief sought for;";

(d) *omit* clause (f);

(e) *omit* clause (g).

By order of the Governor,

(Sk. Nurul Haque)
Principal Secretary to the Government of West Bengal

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